

UNITED STATES DISTRICT COURT
District of Maine

FRANK CUNNINGHAM,)	
)	
Petitioner,)	
)	
vs.)	Civil No. 02-158-B-S
)	
JEFFREY MERRILL, WARDEN)	
)	
Respondent.)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on April 1, 2003 her Recommended Decision on 28 U.S.C. § 2254 Motion. Petitioner filed his objection to the Recommended Decision on April 14, 2003 and Respondent filed his response by letter to that objection on April 21, 2003. I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended

Decision of the Magistrate Judge is hereby
AFFIRMED.

2. The Court DENIES the 28 U.S.C. Petition.

/s/ George Z. Singal
GEORGE Z. SINGAL
Chief U.S. District Judge

Dated this 24th day of April, 2003.

FRANK CUNNINGHAM

represented by **FRANK CUNNINGHAM**
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